INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live

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Governor

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Commissioner

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STATE OF INDIANA	)	BEFORE THE INDIANA DEPARTMENT
	) SS:	OF ENVIRONMENTAL MANAGEMENT
COUNTY OF MARION	)	
IN THE MATTER OF:	)	
	)	
THE FORMATION OF THE	)	
	)	
GNAWBONE REGIONAL	)	
	)	
SEWER DISTRICT	)	

FINDINGS OF FACT AND RECOMMENDED ORDER OF THE HEARING OFFICER

FINDINGS OF FACT

1. On March 10, 1997, the Board of Commissioners of Brown County petitioned the Indiana Department of Environmental Management for an Order establishing a Regional Sewer District to be known as the Gnawbone Regional Sewage District in Brown County.

2. Said Petition complies with the provisions of IC 13-26-2 (formerly IC 13-3-2-3).

3. A public hearing was held on November 5, 1997, in the Pleasant Valley Church, 3888 E. State Road 46, Nashville, Indiana.

4. Notice of said hearing was given by publication in a newspaper of general circulation in Brown County, the Brown County Democrat, for two (2) consecutive weeks prior to said hearing. Notice was also given by mail to each eligible entity involved.

5. The proposed name of the District is the Gnawbone Regional Sewage District.

6. The principal offices of the proposed District will be c/o MSP, Inc. 4510 E. SR 46, P.O. Box 916, Nashville, Indiana 47448.

7. The sanitary sewage needs of those residents now residing within such proposed District are currently being met with septic systems, and other means.

8. Upon formation, the District will construct and operate a sanitary sewage system which will collect and provide for the treatment of the sanitary sewage of the residents of such District.

9. Such District is needed to facilitate the construction of a system to collect and dispose of the sanitary sewage of the residents.

10. The current method of collection and disposal of the sanitary sewage of the residents of such proposed District is affecting and can affect detrimentally the water quality and public health of the area of the proposed District.

11. The residents of the proposed District currently obtain their water for drinking and other purposes from the Brown County Water Company, as well as private wells, which can be adversely affected by failed septic systems.

12. The proposed District will include the area known as Gnawbone described as follows:

> Commencing at the Northwest corner of Section 26, Township 9 North, Range 3 East in Washington Township in Brown County, Indiana; thence South running on an along the West boundary line of the above mentioned Section 26 a distance of approximately 1160 feet to the POINT OF BEGINNING, which is the Northeast corner of Plat No. 201, thence South along the East boundary line of Plat No. 201 a distance of approximately 370 feet which is the centerline of Ann Drive, thence east along the centerline of Ann Drive a distance of approximately 445 feet which is the Northeast corner of Plat No. 403, thence South along the East boundary line of Plat No. 403 a distance of approximately 250 feet which is the Southeast corner of Plat No. 403; thence East along the Northern boundary of Plat No. 706 a distance of approximately 220 feet which is the Northeast corner of Plat No. 706, thence South along the East boundary of Plat No. 706 a distance of approximately 210 feet which is the Southeast corner of Plat No. 706, thence Northeast a distance of approximately 290 feet to the centerline of Bucky Lane, thence Northeast a distance of approximately 390 feet to the North corner of Plat No. 3701, thence South along the East boundary line of Plat No. 3701 a distance of approximately 5700 feet which is the intersection of the East boundary line of Plat No. 3701 with the North boundary line of Plat No. 3800, thence East along the North boundary line of Plat No. 3800 a distance of approximately 140 feet to the centerline of Lynn Road; thence South along the centerline of Lynn Road;

thence South along the centerline of Lynn Road a distance of approximately 275 feet to the centerline of State Highway 46, thence East along the centerline of State Highway 46 a distance of approximately 970 feet which is the Southwest corner of Plat No. 2600. thence North along the West boundary line of Plat No. 2600 a distance of approximately 200 feet which is the Northwest corner of Plat No. 2600; thence East along the North boundary line a distance of approximately 475 feet which is the Northeast corner of Plat No. 2600; thence North along the West boundary line of Plat No. 2600 a distance of approximately 200 feet which is the Northwest corner of Plat No. 2600; thence East along the North boundary line of distance of approximately 475 feet which is the Northeast corner of Plat No. 2600; thence North along the West boundary of Plat No. 2400 a distance of approximately 370 feet which is the northwest corner of Plat No 2400 (52), thence North along the West boundary of Plat No. 2500 a distance of approximately 1425 feet which is the Northwest corner of Plat No. 2500, thence East along the North boundary line of Plat No. 2500 a distance of approximately 1300 feet, which is the Northeast corner of Plat No. 2500; thence South along the East boundary of Plat No. 2500 a distance of approximately 1975 feet to the centerline of State Highway 46; thence East along the centerline of State Highway 46 a distance of approximately 300 feet which is the Southwest corner of Plat No. 1101, thence North along the West boundary of Plat No. 1101 a distance of approximately 625 feet which is the Northwest corner of Plat No. 1101 thence East along the North boundary line of Plat No.'s 1101, 1000, 900, 800, 700, 600 and 500 a distance of approximately 1050 feet to the centerline of Brown Hill Road, thence North along the centerline of Brown Hill Road a distance of approximately 170 feet; thence East a distance of approximately 200 feet to a point on the East boundary line of Section 26, Range 3 East, Township 9 North, located approximately 1400 feet South of the Northeast corner of Section 26, Range 3 East, Township 9 North; thence North along the East boundary of Section 26, Range 3 East, Township 9 North a distance of approximately 65 feet; thence Northeast along the South boundary line of Plat No. 4100 a distance of approximately 695 feet which is the Southeast corner of Plat No. 4100; thence South along the West boundary line of Plat No. 1800 a distance of approximately 130 feet which is the Southwest corner of Plat No. 1800; thence East along the South boundary line of Plat No. 1800 a distance of approximately 300 feet which is the Southeast corner of Plat No. 1800; thence North along the East boundary line of Plat No.'s 1800 and 5000 a distance of approximately 1100 feet which is the Northeast corner of Plat No. 5000; thence East along the North boundary line of Plat No.'s 3600, 2500, 2400 and 2800 a distance of approximately 1740 feet which is the Southwest corner of Plat No. 1800; thence North along the West boundary line of Plat No. 1800 a distance of approximately 1360 feet which is the Northwest corner of Plat No. 1800; thence East along the North boundary line of Plat No. 1800 a distance of approximately 1420 feet to the centerline of unnamed road between Plat No.'s 1800 and 1900; thence North along the centerline of said unnamed road a distance of approximately 1210 feet, which is the Northwest corner of Plat No. 1900; thence East along the North boundary line of Plat No. 1900 a distance of approximately

1330 feet which is the Northeast corner of Plat No. 1900; thence South along the West boundary lines Plat No.'s 1900 and 2500 a distance of approximately 2690 feet, which is the Southeast corner of Plat No. 2500; thence West along South property line of Plat No. 2500 a distance of approximately 180 feet which is the Northeast corner of Plat No. 400; thence Southwest along the East boundary line of Plat No. 400 a distance of approximately 1890 feet which is the Southeast corner of Plat No. 400; thence South along the East boundary line of Plat No. 700 a distance of approximately 1380 feet which is the Southeast corner of Plat No. 700; thence West along the South boundary line of Plat No.'s 700, 5400 and 5501 a distance of approximately 3965 feet, which is the Southwest corner of Plat No. 5501; thence South along the East boundary line of Plat No.'s 5300 and 2501 a distance of approximately 1260 feet which is the Southeast corner of Plat No. 2501; thence West along the South boundary lines of Plat No.'s 2501 and 2502 a distance of approximately 2610 feet which is the Southwest corner of Plat No. 2502; thence North along the West boundary of Plat No. 2502 a distance of approximately 1005 feet to the centerline of an unnamed road; thence West along the centerline of said unnamed road a distance of approximately 965 feet; thence North along the East boundary line of Plat No. 4700 a distance of approximately 305 feet which is the Northeast corner of Plat No. 4700; thence West along the North boundary line of Plat No. 4700 a distance of approximately 385 feet, which is the Northwest corner of Plat No. 4700; thence South along the West boundary line of Plat No. 4700 a distance of approximately 270 feet to the centerline of an unnamed road; thence West along the centerline of said unnamed road a distance of approximately 1005 feet; thence West along the South boundary line of Plat No. 3900 a distance of approximately 130 feet, which is the Northeast corner of Plat No. 4100; thence South along the East boundary line of Plat No. 4100 a distance of approximately 285 feet to the centerline of Gnaw Bone Creek; thence West along the centerline of Gnaw Bone Creek a distance of approximately 1005 feet; thence North along the West boundary lines of Plat No.'s 3201 and 3200 a distance of approximately 775 feet to the centerline of State Highway 46; thence West along the centerline of State Road 46 a distance of approximately 220 feet to the centerline of an unnamed road; thence North along the centerline of said unnamed road a distance of approximately 1365 feet; thence East along the North boundary line of Plat No. 201 a distance of approximately 275 feet which is the POINT OF BEGINNING.

13. There currently is no outstanding indebtedness in the proposed District for the purpose of collection and treatment of wastewater.

14. The proposed district shall be governed by a Board of Trustees of three (3) members. The Trustees shall be appointed by the Brown County Board of Commissioners for ultimately staggered four (4) year terms. The initial terms are as follows:

One (1) Member - Initial Term of Two (2) Years
One (1) Member - Initial Term of Three (3) Years

One (1) Member - Initial Term of Four (4) Years

15. The initial project being planned for the District includes the construction and operation of a collection system and a treatment system in Gnawbone, Indiana. The estimated construction cost is one million, three hundred seventy-seven thousand, five hundred dollars ($1,377,500.00). The connection fee for an existing dwelling is projected to be approximately nine hundred and fifty dollars ($950.00). The average monthly per household user fee is projected to be approximately twenty-nine dollars ($29.00) per month with high volume users paying according to water usage.

16. Funding for the project being planned for the Gnawbone RSD is anticipated to be as follows:

Brown County Matching Funds	$ 5,700.00
Planning Grant from IDOC	$ 50,000.00
Community Focus Fund Grant from IDOC	$500,000.00
State Revolving Loan Fund	$701,800.00
Accumulated County EDIT Tax	$120,000.00

17. The anticipated sources of funds to provide for the operating and maintenance costs of the District will be from the user fees.

18. The District appears capable of accomplishing the purposes for which it was formed, in an economically feasible manner.

RECOMMENDED ORDER

The Hearing Officer recommends the following:

1. That a Regional Sewer District, to be known as the Gnawbone Regional Sewer District, be organized as an independent political entity of the State of Indiana as a body corporate and politic.

2. That the purpose to be accomplished by said District is to provide for the collection, treatment, and disposal of sewage inside the district.

3. That the District shall include a part of Brown County, Indiana, known as Gnawbone and described as follows:

> Commencing at the Northwest corner of Section 26, Township 9 North, Range 3 East in Washington Township in Brown County, Indiana; thence

South running on an along the West boundary line of the above mentioned Section 26 a distance of approximately 1160 feet to the POINT OF BEGINNING, which is the Northeast corner of Plat No. 201, thence South along the East boundary line of Plat No. 201 a distance of approximately 370 feet which is the centerline of Ann Drive, thence east along the centerline of Ann Drive a distance of approximately 445 feet which is the Northeast corner of Plat No. 403, thence South along the East boundary line of Plat No. 403 a distance of approximately 250 feet which is the Southeast corner of Plat No. 403; thence East along the Northern boundary of Plat No. 706 a distance of approximately 220 feet which is the Northeast corner of Plat No. 706, thence South along the East boundary of Plat No. 706 a distance of approximately 210 feet which is the Southeast corner of Plat No. 706, thence Northeast a distance of approximately 290 feet to the centerline of Bucky Lane, thence Northeast a distance of approximately 390 feet to the North corner of Plat No. 3701, thence South along the East boundary line of Plat No. 3701 a distance of approximately 5700 feet which is the intersection of the East boundary line of Plat No. 3701 with the North boundary line of Plat No. 3800, thence East along the North boundary line of Plat No. 3800 a distance of approximately 140 feet to the centerline of Lynn Road; thence South along the centerline of Lynn Road; thence South along the centerline of Lynn Road a distance of approximately 275 feet to the centerline of State Highway 46, thence East along the centerline of State Highway 46 a distance of approximately 970 feet which is the Southwest corner of Plat No. 2600, thence North along the West boundary line of Plat No. 2600 a distance of approximately 200 feet which is the Northwest corner of Plat No. 2600; thence East along the North boundary line a distance of approximately 475 feet which is the Northeast corner of Plat No. 2600; thence North along the West boundary line of Plat No. 2600 a distance of approximately 200 feet which is the Northwest corner of Plat No. 2600; thence East along the North boundary line of distance of approximately 475 feet which is the Northeast corner of Plat No. 2600; thence North along the West boundary of Plat No. 2400 a distance of approximately 370 feet which is the northwest corner of Plat No 2400 (52), thence North along the West boundary of Plat No. 2500 a distance of approximately 1425 feet which is the Northwest corner of Plat No. 2500, thence East along the North boundary line of Plat No. 2500 a distance of approximately 1300 feet, which is the Northeast corner of Plat No. 2500; thence South along the East boundary of Plat No. 2500 a distance of approximately 1975 feet to the centerline of State Highway 46; thence East along the centerline of State Highway 46 a distance of approximately 300 feet which is the Southwest corner of Plat No. 1101, thence North along the West boundary of Plat No. 1101 a distance of approximately 625 feet which is the Northwest corner of Plat No. 1101 thence East along the North boundary line of Plat No.'s 1101, 1000, 900, 800, 700, 600 and 500 a distance of approximately 1050 feet to the

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One (1) Member - Initial Term of Four (4) Years

5. That the Board of Trustees provide sufficient bond for all officers, trustees or employees who have any power to disburse funds of the District.

6. That within nine (9) months from the date of this order, the District shall file with the Commissioner of the Indiana Department of Environmental Management, a detailed plan for the construction and operation of the District's facilities.

Dated: 1/7/98 Hearing Officer: Doug Flora